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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

JOHN M. PELKEY
ADMITTED IN D.C. AND VA

September 8, 1998

OUR FILE NO.
1673-101-63

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

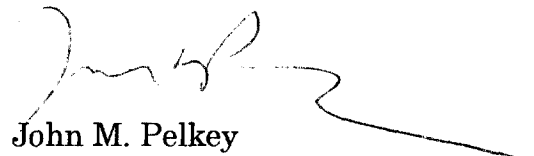
Re: Amendment of Section 73.202(b)
Bunker, Missouri
MM Docket No. 98-126
RM-9293

Dear Ms Salas:

Transmitted herewith on behalf of Bunker Radio Project are an original and four copies of Comments to be filed in the above-referenced rulemaking.

If there are any questions concerning this matter, please contact this office directly.

Sincerely,


John M. Pelkey

JMP/ned

Enclosures: (5)

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before The
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No. 98-126
Table of Allotments)	RM-9293
FM Broadcast Stations)	
Bunker, Missouri)	

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To: Chief, Allocations Branch

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Comments of Bunker Radio Project

By Petition for Rulemaking filed May 8, 1998, Bunker Radio Project ("Bunker Radio"), requested the Commission to institute a rulemaking proceeding to amend Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, by allotting Channel 292A to Bunker, Missouri, as that community's first aural service. In response, the Commission released a Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding, proposing the requested change to the Table of Allotments and soliciting the submission of comments by September 8, 1998. See *NPRM*, MM Docket No. 98-126 (RM 9293), DA 98-1376.

Bunker Radio, through counsel, hereby submits its Comments in response to the *NPRM*. As will be shown below, the proposed

rulemaking is consistent with Commission policy and would advance the public interest. Accordingly, the proposed rulemaking should be adopted.

I. Background and Reaffirmation of Commitment to Apply for and Construct Facility

In its Petition for Rulemaking, hereby incorporated by reference, Bunker Radio requested that the Table of Allotments be amended to allocate Channel 292A to Bunker, Missouri. Bunker Radio committed that, if the proposed amendment to the Table of Allotments were adopted, it would promptly apply for an authorization to construct the new facility.¹ Bunker Radio hereby reaffirms that earlier commitment and, in accordance with paragraph 2 of the Appendix to the *NPRM*, specifically states its intention to apply for Channel 292A if that channel is allotted to Bunker, Missouri, and, if authorized, to promptly construct the new facility, place the facility in operation, and seek a license covering the construction of the facility.

Bunker is an incorporated city with a mayor and city council form of government. Although the 1990 census listed Bunker as having a population of 390 persons, more recent information from the city of

¹ Bunker Radio Petition at 3.

Bunker specifies a 1995 population of 518 persons.² Bunker has its own post office with its own zip code, 63629. It supplies water to its citizens with a city-owned water and sewer system. It serves the educational needs of its citizens through an elementary school with 14 teachers and a high school with 16 teachers. Economic development is fostered by the Bunker Chamber of Commerce.

Despite these attributes, Bunker does not have a broadcast station allocated to it. The present rulemaking seeks to remedy this deficiency.

II. Allocation of Channel 292A to Bunker is Consistent With Commission Policy and is in the Public Interest.

In Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 5 FCC Rcd 7094, 7096 (1990), the Commission held that provision of first local service is the highest of the allotment priorities which remains in any significant degree unsatisfied. The allocation to Bunker would permit Bunker to receive its first local aural channel, thus serving this highest of allotment priorities.

In addition, as was explained in paragraph 3 of the *NPRM*, Channel 292 can be allotted to Bunker consistent with the minimum distance separation requirements of the Commission's rules.

² *NPRM* at ¶ 2.


III. Conclusion.

The above facts demonstrate that the Commission's allocation criteria would be served by the allocation of Channel 292A to Bunker, Missouri, as such allocation would provide that community with its first local aural transmission facility. Accordingly, Bunker Radio respectfully requests that the Table of FM Allotments be amended as follows:

City	Present Allotment	Proposed Allotment
Bunker, Missouri	- -	292A

Respectfully submitted,

BUNKER RADIO PROJECT

By: 
John M. Pelkey
Its Attorney

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Date: September 8, 1998